

**CHARTER TOWNSHIP OF WATERFORD
OAKLAND COUNTY, MICHIGAN**

RESOLUTION TO CONTINUE, REESTABLISH, AND MAINTAIN FREE PUBLIC LIBRARY

RECITALS:

1. The Waterford Library ("Library") was established as a public library by Resolution of the Township Board of Trustees (Township Board) on July 22, 1963, under the provisions of Public Act No. 269 of 1955, and since that time has been under the control of the Township Board that has been the governing board of the Library.
2. Effective January 1, 1977, Public Act No.269 of 1955 was repealed and replaced by the Revised School Code, which did not include the provisions under which the Library was established, operating, and being maintained, MCL 340.901 - MCL 340.905.
3. As the governing board of the library and as had been allowed by Public Act No. 269 of 1955, on April 27, 2012, the Township Board approved establishing the Library as a free public library under Section 10 of Public Act No. 164 of 1877, MCL 397.210, by approving ballot language for the proposed levy of a dedicated library millage for 1 of the 2 mills allowed by that statute for a period of 10 years.
4. At the August 1992 primary election, the majority of voters approved establishing the Library as a free public library under MCL 397.210, by approving the dedicated library millage of 1 mill for 10 years.
5. Renewal of the dedicated library millage approved in 1992 was approved by the voters in 2002 for 10 years, and again in 2012 for 10 years through 2022.
6. Relying on MCL 397.210, as amended in 1994, the Township has treated the dedicated library millage as an authority millage that is not included in the charter township tax limitations under MCL 42.27.
7. Effective June 18, 2019, Public Act No. 24 of 2019 amended Section 13a of the Charter Township Act, MCL 42.13a, to allow a charter township to reestablish and maintain a free public library that was established as a township library under a repealed act, such as Public Act No. 269 of 1955.
8. Although notwithstanding the repeal of Public Act No. 269 of 1955, the Library of Michigan has considered the Library to be legally established for purposes of State Aid and Penal Fines distribution, with the new authorization option for free public libraries in charter townships under the amended MCL 42.13a, it has encouraged the Township to take formal action necessary to establish or reestablish the Library under an existing Michigan statute

9. At the request of the Library Advisory Board, and without acknowledging the necessity of taking such action, or prejudice to the Township's ability to collect and allow the voters to renew the dedicated library millage under MCL 397.210, the Township Board has determined to continue its free public library and reestablish and maintain it as now allowed by MCL 42.13a.

IT IS THEREFORE RESOLVED that the Library shall continue as a free public library and is hereby reestablished and shall be maintained as a free public library as authorized by MCL 42.13a.

IT IS FURTHER RESOLVED that the Township Board shall continue to serve as the Board of Directors for the Library with final authority over all Library matters.

IT IS FURTHER RESOLVED that the Township Board hereby appoints the following current Library Advisory Board members to serve as the seven (7) member Library Advisory Committee required by MCL 42.13a for the remainder of their Library Advisory Board terms as indicated, with all subsequent terms to be for three (3) years. The Township Board may fill vacancies on the Library Advisory Commission and may remove a member with or without cause.

Kim Markee	November 2020 (Township Board Liaison)
Nicole Alef	December 2020
Keith Maisner	December 2020
John Berger	December 2021
Gretchen Caldwell	December 2021
JoAnn Kohler	December 2022
Tracie McDonnell	December 2022

IT IS FURTHER RESOLVED that the Library Advisory Committee shall advise the Township Board with regard to development, operation, and maintenance of the Library.

IT IS FURTHER RESOLVED that the attached Bylaws of the Library Advisory Committee, which are based on the Bylaws of the Waterford Township Public Library Advisory Board approved by the Township Board in 2006 are approved and established for the matters contained in those Bylaws.

IT IS FURTHER RESOLVED that the attached Rules of Conduct approved by the Township Board in 2005 are established as rules and regulations for the operation of the reestablished Library.

IT IS FURTHER RESOLVED that policies and procedures currently followed in the operation of the Library are established as rules and regulations for the reestablished Library, including but not limited to the following:

1. All persons who are residents of the Township shall be entitled to the privileges of the Library.

2. The Library is a department of Waterford Township government, and as such, all actions relating to the Library for recovery of any penalties shall be brought in the name of the Township.
3. Wherever any legal action is taken or becomes necessary concerning the Library, the Township Clerk shall be the representative of the Library to work with the Township's Attorney.
4. The existing library fund shall continue as the separate and dedicated library fund required by MCL 42.13a, and the Township Treasurer shall apply for and receive from the proper authorities all moneys appropriated for the Library, maintain the separate and dedicated library fund, and pay out such library moneys on the order of the Township Board.
5. The librarian appointed by the Township Board to serve as Director of the Library shall be responsible to the Township Board for the impartial enforcement of all rules and regulations lawfully established in relation to the Library.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees by the roll call vote indicated at a regular meeting of the Board on March 23, 2020, at which a quorum was present.

Charter Township of Waterford

Date

Kimberly Markee, Township Clerk